IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2383 OF 2004

Shri K.K.Singh ...Petitioner

Versus

Smt.Manisha Singh & Anr. ...Respondents

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Ms.Revati Mohite-Dere for Petitioner.

Mr.Nandu Phadke for Respondent No.1.

Mr.R.Y.Mirza, A.P.P. for Respondent No.2.

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CORAM: A.M.KHANWILKAR, J.

DECEMBER 16, 2004.

P.C.

1. Heard Counsel for the parties.

2. Rule. Rule made returnable forthwith, by consent. Mr.Phadke waives notice for Respondent No.1. Mr.Mirza, A.P.P. waives notice for Respondent No.2.

3. As short question is involved, the matter is taken up for final disposal forthwith, by

consent.

4. The Respondent No.1 has initiated criminal action against the Petitioner, which is stated to be pending before the Additional Sessions Judge, Pune, being Sessions Case No.383 of 2004. Present Petition is for quashing of the said proceedings. It is not in dispute that during the pendency of the criminal action, the parties have resolved all their disputes amicably including decided to take divorce by mutual consent on terms stated in the Petition. The Petition for divorce by mutual consent is also disposed of. One of the agreement between the parties was that the Respondent No.1 will not precipitate the matter and agree for dropping all the criminal action against the Petitioner.

5. In this backdrop, in the interest of justice, the Petition deserves to be granted. The same is allowed in terms of prayer clause (1).

A.M.KHANWILKAR, J.